THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.30019 of 1997
Date: 11-04-2007

Between:
G.Appala Ramulu and two others

Petitioners

And

The State of Andhra Pradesh, rep. by the Secretary to Government,
Panchayat Raj and Rural Development Department,
Secretariat Buildings, Hyderabad and three others

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.30019 of 1997

ORDER:

1. The present writ petition has been filed seeking the following relief:

> *"to issue a Writ, Order or Direction more particularly one in the nature of a Writ of Mandamus directing the Respondents to regularize the services of the petitioners in their respective Gram Panchayats from the date on which the petitioners became eligible and entitled for such regularization and fixation of scale with all attendant benefits in terms of orders issued in G.O.Ms.No.491, G.O.Ms.No.176 and G.O.Ms.No.212 and subsequent instructions issued from time to time and pass such other orders."*

2. Heard Sri K.Ram Reddy, the learned counsel for the writ petitioners. None appeared on behalf of the respondents.

3. The writ petitioners appear to have been appointed on part time basis as Clerk-cum-Bill Collector on 01-07-1988, 01-04-1980 and 22-11-1986 respectively. They also assert that the State Government has passed orders through their G.O.Ms.No.491, Panchayat Raj and Rural Development, dated 04-10-1986 announcing certain policy measures such as consideration of the proposals of the respective Gram Panchayats for creation of part time or full time posts or conversion of part time posts like Bill Collectors, Junior Assistants-cum-

Bill Collectors, Sweepers etc. in to full time posts with regular scale of pay and for the said purpose, the Commissioner of Panchayat Raj and Rural Development and all the District Collectors (Panchayat wing) are requested to send proposals for creation/conversion/up-gradation of the posts to the Government. Though the respective Gram Panchayats have passed resolutions on 24-02-1995, 27-04-1995 and 31-03-1995 for conversion of the Part Time Clerk-cum-Bill Collector posts in to Full Time Clerk-cum-Bill Collectors for the purpose of regularizing the services of the writ petitioners and though the writ petitioners assert that they have also fulfilled the criteria for regularization of services announced by the State Government in the policy decision contained in G.O.Ms.No.212, Finance and Planning Department, dated 22-04-1994 and though the State Government represented by it's Secretary to Government, Panchayat Raj and Rural Development Department, the Commissioner of Panchayat Raj and Rural Development, the District Collector (Panchayat Wing), Vizianagaram and the District Panchayat Officer, Vizianagaram have been made parties in this writ petition as respondents 1 to 4 respectively and though they have been served with the notices long back, they have neither chosen to file any counter affidavit in the matter nor have contested the case when it is called. Since there was no one to appear and represent the respondents in opposition of the claims made by the writ petitioners, I consider that the claims made by the writ petitioners as unopposed and consequently, I allow this writ petition with costs payable at Rs.3,000/-(Rupees Three Thousand only) which the State Government must release at the first instance and should realize the same from the agency which is considered responsible for not contesting this writ petition, later on. The time to pay costs will be three months. The Registry is directed to mark a copy of this judgment to the Accountant

General, Andhra Pradesh, Hyderabad to ensure that the State Government recovers the money from the agency concerned.

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NOOTY RAMAMOHANA RAO,J

11-04-2007

Note:
The Registry to mark a copy of this judgment
to the Accountant General, A.P. Hyderabad.

B/o.
Stp